

UNSAFE STRUCTURES BOARD HEARING MINUTES OF JANUARY 18TH, 2006

Members Present: James Starkweather Emile Amedee Jose Vera
Abel Ramirez Benjamin S. Essien Kevin Deeb
Carlos Naumann

Absent: Alberto Milian James Cueva, C Gordon Loader, VC

Staff: Herminio Gonzalez, Secretary
Latisha Byrd, Recording Secretary
Daniel Frastai, Assistant County Attorney

Court Reporter: Lorena Ramos, Metro Dade Court Reporter

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:25 P.M. on Wednesday, January 18th, 2006, on the 16th Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. Kevin Deeb, requested a motion to approve and accept the minutes of the December 14th, 2005 Unsafe Structures Board Meeting. Mr. Starkweather moved to accept the minutes of the board meeting. Mr. Amedee seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Herminio Gonzalez then announced that the following Unincorporated Miami-Dade County and City of Miami cases have made **agreements with the Building Official:**

Unincorporated Miami-Dade County:

DC2005034457U	1475 NE 111 Street
DC2005050315U	8403 NW 25 Avenue
DC2006093900U	11190 Biscayne Blvd.
DC2006093901U	11190 Biscayne Blvd.
DC2006093902U	11150 Biscayne Blvd.
DCF2005104670U	1900 NW 75 Street, #1
DCF2005104739U	3250-54 NW 38 Street, #1
DCF2005104800U	495 NE 83 Street, #1
DCF2005104820U	7150 SW 23 Street, #1
DCF2005104847U	4180 SW 74 Court, #1
DCF2005104923U	10030 W. Indigo Street, #1
DCF2005104950U	26920 SW 145 Avenue, #1
DCF2005105013U	658 NW 100 Street, #1
DCF2005105080U	8250 N. Miami Avenue, #1
DCF2005105085U	6728 NW 18 Avenue, #1
DCF2005105118U	2145 NW 32 Avenue, #2
DCF2005105303U	285 NE 191 Street
DCF2005105304U	245 NE 191 Street
DCF2005105305U	300 NE 191 Street

UNSAFE STRUCTURES BOARD HEARING MINUTES OF February 15TH, 2006

Members Present: James Cueva, C Gordon Loader, VC James Starkweather
Emile Amedee Jose Vera Abel Ramirez
Benjamin S. Essien Carlos Naumann

Absent: Alberto Milian Kevin Deeb

Staff: Herminio Gonzalez, Secretary
Latisha Byrd, Recording Secretary
Glenn Saks, Assistant County Attorney

Court Reporter: Jannett Taylor-Brown, Metro Dade Court Reporter

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:20 P.M. on Wednesday, February 15th, 2006, on the 16th Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. James Cueva, requested a motion to approve and accept the minutes of the January 18th, 2006 Unsafe Structures Board Meeting. Mr. Starkweather moved to accept the minutes of the board meeting. Mr. Amedee seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Herminio Gonzalez then announced that the following Unincorporated Miami-Dade County cases have made **agreements with the Building Official:**

Unincorporated Miami-Dade County:

DC2005034779U	22419 South Dixie Highway
DC2005036602U	8248 NW 22 Avenue
DC2006066929U	11770 SW 110 Lane
DCF2005104684U	1337 NW 77 Street, #1
DCF2005104694U	8460 NW 7 Avenue, #1
DCF2005104695U	8400 NW 7 Avenue, #1
DCF2005104927U	10235 SW 186 Street, #1
DCF2005104940U	21845 Goulds Avenue, #1
DCF2005104979U	11510 NE 2 Avenue, #1
DCF2005105039U	8750 NW 27 Avenue, #1
DCF2005105302U	270 NE 191 Street
DCF2005105306U	19000 NE 3 Court

Mr. Herminio Gonzalez then announced that the following Unincorporated Miami-Dade County cases have made **No Contest/No Show with the Building Official:**

Unincorporated Miami-Dade County:

DCF2005104615U	1301 NE 111 Street, #1
DCF2005105394U	7500 NW 22 Avenue, #1

Mr. Gonzalez then announced that the following Unincorporated Miami-Dade County cases were **Withdrawn/Deferred:**

Unincorporated Miami-Dade County:

DCF2005104562U	18584-86-88-90 NE 2 Avenue, #1
DCF2005104672U	2230 NW 76 Street, #1
DCF2005105124U	3350 NW 21 Street, #1
DCF2005105318U	4550 SW 67 Avenue
DCF2005105351U	8226-28 NW 2 Court, #1

The cases and photographs were submitted to the Board for review and were called by Mr. Gonzalez.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Gonzalez. Mr. Essien seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Cueva informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

Mr. Gonzalez then called forth the first case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DCF2005104785U	3199 NW 20 Street, #1
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Mr. Spencer Errickson, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Errickson gave an account for structure and recommended that “a 40 year recertification report in the format required by the Miami-Dade County Building Department prepared by a Florida registered professional engineer or architect must be submitted to the Miami-Dade Building Department’s Unsafe Structures Unit within thirty (30) days from today’s date certifying each building or structure is structurally and electrically safe for the specific use for continued occupancy. Any repairs required by the Building Official as a prerequisite for the 40-year recertification of the structure(s) shall be subject to the following: An application for building and or electrical permit must be submitted to the Miami-Dade Building Department within forty-five (45) days from today’s date. The department’s Unsafe Structures Unit must first review the application for permit. The application for permit must include as part of the permit documents copies of the engineer’s or architect’s 40-year recertification report. The permit must be obtained within one hundred twenty (120) days from today’s date and the required repairs must be completed inclusive of a final inspection approval on the permit within one hundred eighty (180) days from today’s date. Upon the property owner’s failure to comply with any of the requirements of this Agreement the Building Official shall cancel the Certificate of Occupancy, order the power to the building(s) or structure(s) disconnected and order the building(s) or structure(s) vacated and secured in a manner provided under the Building Code. If the property owner fails to secure the building(s) or structure(s), then the Building Official shall hire a private contractor to secure such building(s) or structure(s). If the property owner fails to obtain a new Certificate of Occupancy for the building(s) or structure(s) within 120 days of the date of cancellation of the original Certificate of Occupancy, then the Building Official shall demolish such building(s) or structure(s).”

Mr. Mark Gemignani, Representative, gave the status of the structures and indicated that the property is not occupied. He informed the Board that the Owner's intent is to sale the property in the condition that it is in and the new owners will do all the necessary repairs. Mr. Gemignani then requested additional time for the sale of the property to go through.

Mr. Cueva asked the representative how much time was needed to conduct the repairs.

Mr. Gemignani replied that it can take up to 365 days to bring the property up to code.

Mr. Loader then asked how long before the property would be sold and how long has it been on the market.

Mr. Gemignani answered that it has been on the market for about two months.

After some discussion, Mr. Loader moved that "a 40 year recertification report in the format required by the Miami-Dade County Building Department prepared by a Florida registered professional engineer or architect must be submitted to the Miami-Dade Building Department's Unsafe Structures Unit within thirty (30) days from today's date certifying each building or structure is structurally and electrically safe for the specific use for continued occupancy. Any repairs required by the Building Official as a prerequisite for the 40-year recertification of the structure(s) shall be subject to the following: An application for building and or electrical permit must be submitted to the Miami-Dade Building Department within forty-five (45) days from the date of submission of the 40 year recertification report. The department's Unsafe Structures Unit must first review the application for permit. The application for permit must include as part of the permit documents copies of the engineer's or architect's 40-year recertification report. The permit must be obtained within one hundred twenty (120) days from the date of the submission of the application and the required repairs must be completed inclusive of a final inspection approval on the permit within one hundred eighty (180) days from the date of obtaining the permit. Upon the property owner's failure to comply with any of the requirements of this Agreement the Building Official shall cancel the Certificate of Occupancy, order the power to the building(s) or structure(s) disconnected and order the building(s) or structure(s) vacated and secured in a manner provided under the Building Code. If the property owner fails to secure the building(s) or structure(s), then the Building Official shall hire a private contractor to secure such building(s) or structure(s). If the property owner fails to obtain a new Certificate of Occupancy for the building(s) or structure(s) within 120 days of the date of cancellation of the original Certificate of Occupancy, then the Building Official shall demolish such building(s) or structure(s)." Mr. Vera seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez then called forth the second case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DCF2005105317U 4500 SW 67 Avenue

Mr. Spencer Errickson, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Errickson gave an account for structure and recommended a 40 year recertification report in the format required by the Miami-Dade County Building Department prepared by a Florida registered professional engineer or architect must be submitted to the Miami-Dade Building Department's Unsafe Structures Unit within thirty (30) days from today's date certifying each building or structure is structurally and electrically safe for the specific use for continued occupancy. Any repairs required by the Building Official as a prerequisite for the 40-year recertification of the structure(s) shall be subject to the following: An application for building and or electrical permit must be submitted to the Miami-Dade Building Department within forty-five (45) days from today's date. The department's Unsafe Structures Unit must first review the application for permit. The application for permit must include as part of the permit documents copies of the engineer's or architect's 40-year recertification report. The permit must be obtained within one hundred twenty (120) days from today's date and the required repairs must be completed inclusive of a final inspection approval on the permit within one hundred eighty (180) days from today's date. Upon the property owner's failure to comply with any of the requirements of this Agreement the Building Official shall cancel the Certificate of Occupancy, order the power to the building(s) or structure(s) disconnected and order the building(s) or structure(s) vacated and secured in a manner provided under the Building Code. If the property owner fails to secure the building(s) or structure(s), then the Building Official shall hire a private contractor to secure such building(s) or structure(s). If the property owner fails to obtain a new Certificate of Occupancy for the building(s) or structure(s) within 120 days of the date of cancellation of the original Certificate of Occupancy, then the Building Official shall demolish such building(s) or structure(s)."

Mr. Carlos de la Rionda, Property Manager, stated that a report was submitted to the Building Department. He informed the Board that the Engineer submitted a letter to the Building Department indicating that it is not necessary to obtain a permit to repair the minor items. Mr. de la Rionda then informed the Board that they are waiting on the final inspection to be performed.

After some discussion, Mr. Ramirez moved that "case shall be deferred for sixty (60) days per the Unsafe Structures Board." Mr. Starkweather seconded the motion.

Annual Voting for Chairman & Vice-Chairman

The Board acknowledged the Election of Chairman and Vice Chairman for the Unsafe Structures Board on the agenda.

Mr. Herminio Gonzalez thanked all the Board members for all their hard work over the years and stated that he really appreciated them for taking time to contribute to the Unsafe Structures Board.

Mr. Starkweather then elected Mr. Cueva for Chairman and Mr. Loader for Vice-Chairman. Mr. Essien seconded the motion.

Mr. Cueva and Mr. Loader thanked everyone for all their kind words and acknowledged the extraordinary contributions of his fellow Board members for over the last 12 months where they faced significant challenges. Specifically, he related to the limited number of Board members that have required a hundred percent attendance from all of them, which is an extraordinary commitment.

Mr. Herminio Gonzalez then announced that the following Unincorporated Miami-Dade County and City of Miami cases have made **No Contest/No Show with the Building Official:**

Unincorporated Miami-Dade County:

DCF2005104552U	950 SW 57 Avenue, #1
DCF2005104610U	10999 Biscayne Blvd., #1
DCF2005104690U	7171 NW 12 Avenue, #1
DCF2005104850U	5810 SW 57 Avenue, #1
DCF2005104851U	5810 SW 57 Avenue, #2
DCF2005104852U	5960 SW 57 Avenue, #1

City of Miami:

M05-062	2364 SW 11 Terrace
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Mr. Gonzalez then announced that the following Unincorporated Miami-Dade County and City of Miami cases were **Withdrawn/Deferred:**

Unincorporated Miami-Dade County:

DCF2005104921U	10300 SW 162 Street, #1
DCF2005104922U	11101 SW 184 Street, #3
DCF2005105261U	27940 S. Federal Hwy., #3

The cases and photographs were submitted to the Board for review and were called by Mr. Gonzalez.

After the Board reviewed each case file, Mr. Deeb requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Gonzalez. Mr. Essien seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Deeb informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

Mr. Gonzalez then informed the Board that there were no cases to be heard by the Unincorporated Miami-Dade and City of Miami, Unsafe Structures Unit.

The Board acknowledged the Election of Chairman and Vice Chairman for the Unsafe Structures Board on the agenda and decided to vote at its next hearing date of Wednesday, February 15th, 2006.

There being no further business, the meeting was adjourned at 1:50 P.M.

Prepared by: _____
Recording Secretary

Chairperson

Date: _____

UNSAFE STRUCTURES BOARD HEARING MINUTES OF March 15TH, 2006

Members Present: James Cueva, C Gordon Loader, VC James Starkweather
Emile Amedee Jose Vera Abel Ramirez
Benjamin S. Essien Carlos Naumann Kevin Deeb

Absent: Alberto Milian

Staff: Herminio Gonzalez, Secretary
Latisha Byrd, Recording Secretary
Glenn Saks, Assistant County Attorney

Court Reporter: Jannett Taylor-Brown, Metro Dade Court Reporter

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:20 P.M. on Wednesday, March 15th, 2006, on the 16th Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. James Cueva, requested a motion to approve and accept the minutes of the February 15th, 2006 Unsafe Structures Board Meeting. Mr. Starkweather moved to accept the minutes of the board meeting. Mr. Vera seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Herminio Gonzalez then announced that the following Unincorporated Miami-Dade County and City of Miami cases have made **agreements with the Building Official:**

Unincorporated Miami-Dade County:

DC2005034278U	12261 SW 130 Street
DC2005034898U	3540 NW 103 Street
DC2005050041U	14909 SW 104 Street, #18-12
DCF2004104013U	15721 NW 7 Avenue, #01
DCF2005104581U	12801 NW 27 Avenue, #2
DCF2005104582U	12601 NW 27 Avenue, #1
DCF2005104648U	2075 NW 99 Terrace, #1
DCF2005104726U	4240 NW 27 Avenue, #1
DCF2005104735U	3235 NW 37 Street
DCF2005104740U	3230-34 NW 38 Street, #1
DCF2005104998U	11115 NE 13 Avenue, #1
DCF2005105082U	6309 NW 18 Avenue, #1
DCF2005105122U	3315 NW N. River Drive, #1
DCF2005105342U	7401 NW 32 Avenue, #1

City of Miami:

M06-005	1757 NW 51 Terrace
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Mr. Herminio Gonzalez then announced that the following Unincorporated Miami-Dade County and City of Miami cases have made **No Contest/No Show with the Building Official:**

Unincorporated Miami-Dade County:

DC2005034329U	3580 NW 54 Street
DCF2005104578U	2601 NW 119 Street, #2
DCF2005104974U	10895 NW 7 Avenue, #1
DCF2005105261U	27940 S. Federal Hwy., #3

DCF2005105344U	7301 NW 36 Court, #1
DCF205105369U	900 Lejeune Road, #1
DCF2005105378U	19301 SW 127 Avenue, #1

City of Miami:

M06-001	38 NE 50 Street
M06-002	1335 SW 4 Street
M06-003	1503 NW 66 Street
M06-004	1601 NW 43 Street

Mr. Gonzalez then announced that the following Unincorporated Miami-Dade County case was **Withdrawn/Deferred:**

Unincorporated Miami-Dade County:

DCF2001102437U	2751 NW 91 Street
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The cases and photographs were submitted to the Board for review and were called by Mr. Gonzalez.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Essien moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Gonzalez. Mr. Deeb seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Cueva informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

Mr. Gonzalez then called forth the first case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DCF2005105335U	4225 NW 72 Avenue, #1
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Mr. Spencer Errickson, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Errickson gave an account for structure and recommended that “a 40 year recertification report in the format required by the Miami-Dade County Building Department prepared by a Florida registered professional engineer or architect must be submitted to the Miami-Dade Building Department’s Unsafe Structures Unit within thirty (30) days from today’s date certifying each building or structure is structurally and electrically safe for the specific use for continued occupancy. Any repairs required by the Building Official as a prerequisite for the 40-year recertification of the structure(s) shall be subject to the following: An application for building and or electrical permit must be submitted to the Miami-Dade Building Department within forty-five (45) days from today’s date. The department’s Unsafe Structures Unit must first review the application for permit. The application for permit must include as part of the permit documents copies of the engineer’s or architect’s 40-year recertification report. The permit must be obtained within one hundred twenty (120) days from today’s date and the required repairs must be completed inclusive of a final inspection approval on the permit within one hundred eighty (180) days from today’s date. Upon the property owner’s failure to comply with any of the requirements of this Agreement the Building Official shall cancel the Certificate of Occupancy, order the power to the building(s) or structure(s) disconnected and order the building(s) or structure(s) vacated and secured in a manner provided under the Building Code. If the property

owner fails to secure the building(s) or structure(s), then the Building Official shall hire a private contractor to secure such building(s) or structure(s). If the property owner fails to obtain a new Certificate of Occupancy for the building(s) or structure(s) within 120 days of the date of cancellation of the original Certificate of Occupancy, then the Building Official shall demolish such building(s) or structure(s).”

Mr. Mohammed Dalbani, Owner, gave the status of the structures and indicated that his intent is to sale the property in the condition that it is in and the new owners will do all the necessary repairs. Mr. Dalbani then requested additional time for the sale of the property to go through.

Mr. Cueva asked the owner if reports were submitted by an Engineer.

Mr. Dalbani answered “yes.”

Mr. Essien then suggested to owner to hire a good Engineer.

Mr. Cueva asked the owner how much time was needed to conduct the repairs.

Mr. Dalbani replied that it can take up to 180 days to bring the property up to code.

After some discussion, Mr. Deeb moved that “said structure(s) are to be secured within five (5) working days. The structure is to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. Any repairs required by the Building Official as a prerequisite for the 40-year recertification of the structure(s) shall be subject to the following: An application for building and or electrical permit must be submitted to the Miami-Dade Building Department within seventy-five (75) days from today’s date. The department’s Unsafe Structures Unit must first review the application for permit. The application for permit must include as part of the permit documents copies of the engineer’s or architect’s 40-year recertification report. The permit must be obtained within one hundred twenty (120) days from today’s date and the required repairs must be completed inclusive of a final inspection approval on the permit within one hundred eighty (180) days from today’s date. Upon the property owner’s failure to comply with any of the requirements of this Agreement the Building Official shall cancel the Certificate of Occupancy, order the power to the building(s) or structure(s) disconnected and order the building(s) or structure(s) vacated and secured in a manner provided under the Building Code. If the property owner fails to secure the building(s) or structure(s), then the Building Official shall hire a private contractor to secure such building(s) or structure(s). If the property owner fails to obtain a new Certificate of Occupancy for the building(s) or structure(s) within 120 days of the date of cancellation of the original Certificate of Occupancy, then the Building Official shall demolish such building(s) or structure(s). If the permit process is delayed by reasons beyond Owner’s control, Owner may request in writing an extension of the time provided for in this agreement and provide proof of the reasons for the delay to the Building Department. Such a request must be made prior to the expiration of the deadlines set forth in this agreement. Upon receipt of such a written request, the Building Department shall provide, if appropriate, a reasonable extension.” Mr. Starkweather seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Discussion:

Mr. Cueva informed the Board that James Starkweather was appointed to attend the Unsafe Structure Board Panel for Residential & Duplex Structures. He then inquired what took place at the Board Hearing.

Mr. Starkweather replied that it is very different from the Unsafe Structures Board that they conduct and will have to attend another Board Hearing to be able to provide the Board with more information.

Mr. Cueva asked how long does the hearings last.

Mr. Starkweather replied that the process is the same, but every case is heard.

There being no further business, the meeting was adjourned at 2:20 P.M.

Prepared by: _____
Recording Secretary

Chairperson

Date: _____

UNSAFE STRUCTURES BOARD HEARING MINUTES OF April 19th, 2006

Members Present: James Cueva, C Gordon Loader, VC James Starkweather
Emile Amedee Abel Ramirez Benjamin S. Essien
Carlos Naumann Kevin Deeb

Absent: Alberto Milian Jose Vera

Staff: Herminio Gonzalez, Secretary
Latisha Byrd, Recording Secretary
Glenn Saks, Assistant County Attorney

Court Reporter: Janice Aguirre, Metro Dade Court Reporter

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:36 P.M. on Wednesday, April 19th, 2006, on the 16th Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. Gordon Loader, requested a motion to approve and accept the minutes of the March 15th, 2006 Unsafe Structures Board Meeting. Mr. Starkweather moved to accept the minutes of the board meeting. Mr. Deeb seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Herminio Gonzalez then announced that the following Unincorporated Miami-Dade County and City of Miami cases have made **agreements with the Building Official:**

Unincorporated Miami-Dade County:

DCF2004104468U	8000 SW 107 Avenue, #11
DCF2005104595U	19400 W. Dixie Hwy., #1
DCF2005104657U	3000 NW 73 Street, #1
DCF2005104958U	29501 SW 152 Avenue, #1
DCF2005105156U	8000 SW 107 Avenue, #23
DCF2005105157U	8000 SW 107 Avenue, #10
DCF2005105307U	250 NE 191 Street

City of Miami:

M06-006	420 NW 40 Street
M06-010	1911 Coral Gate Drive
M06-011	5595 NW 17 Avenue

Mr. Herminio Gonzalez then announced that the following Unincorporated Miami-Dade County, City of Coral Gables and City of Miami cases have made **No Contest/No Show with the Building Official:**

Unincorporated Miami-Dade County:

DCF2004104317U	601 NE 107 Street, #9
DCF2004104388U	16600 S. Dixie Hwy., #01
DC2006094852U	3901 SW 112 Avenue

City of Miami:

M06-009	1343 NW 1 Street
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City of Coral Gables:

CG2006-01	737 Valencia Avenue
CG2006-03	114 Menores Avenue
CG2006-10	1514 Salzedo Street
CG2006-11	24 Sidonia Avenue

Mr. Gonzalez then announced that the following Unincorporated Miami-Dade County, City of Coral Gables, Village of Virginia Gardens and City of Miami case was **Withdrawn/Deferred:**

Unincorporated Miami-Dade County:

DCF2005104943U	15585 SW 232 Street, #1
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City of Miami:

M06-008	1210 NE 1 Avenue A/K/A 1208 NE 1 Avenue
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City of Coral Gables:

CG2006-02	110 Sidonia Avenue
CG2006-04	118 Menores Avenue
CG2006-05	223 Phoenetia Avenue
CG2006-06	222 Phoenetia Avenue
CG2006-07	230 Salamanca Avenue
CG2006-08	5410 W 8 Street
CG2006-09	2334 Ponce de Leon Blvd.
CG2006-13	219 Miracle Mile
CG2006-14	101 Grand Avenue
CG2006-15	203 University Drive
CG2006-16	119 Grand Avenue
CG2006-18	300-04-08 Majorca Avenue
CG2006-20	119 Antiquera Avenue
CG2006-21	131 Antiquera Avenue
CG2006-22	2603 Ponce de Leon Blvd.
CG2006-23	35 Sidonia Avenue
CG2006-24	449 Anastasia Avenue
CG2006-25	230 Phoenetia Avenue

Village of Virginia Gardens:

VG2006-01	3660 NW 37 Terrace
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The cases and photographs were submitted to the Board for review and were called by Mr. Gonzalez.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Essien moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Gonzalez. Mr. Deeb seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Cueva informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

Mr. Gonzalez then called forth the first case to be heard by the City of Coral Gables, Unsafe Structures Unit.

City of Coral Gables Case:

CG2006-12

1200 Anastasia Avenue

Mr. Manuel Lopez, Building Officials, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Lopez gave an account for structure and recommended that “a 40 year recertification report in the format required by the City of Coral Gables Building Department prepared by a Florida registered professional engineer or architect must be submitted to the City of Coral Gables Building Department’s Unsafe Structures Unit within thirty (30) days from today’s date certifying each building or structure is structurally and electrically safe for the specific use for continued occupancy. Any repairs required by the Building Official as a prerequisite for the 40-year recertification of the structure(s) shall be subject to the following: An application for building and or electrical permit must be submitted to the City of Coral Gables Building Department within forty-five (45) days from today’s date. The department’s Unsafe Structures Unit must first review the application for permit. The application for permit must include as part of the permit documents copies of the engineer’s or architect’s 40-year recertification report. The permit must be obtained within one hundred twenty (120) days from today’s date and the required repairs must be completed inclusive of a final inspection approval on the permit within one hundred eighty (180) days from today’s date. Upon the property owner’s failure to comply with any of the requirements of this Agreement the Building Official shall cancel the Certificate of Occupancy, order the power to the building(s) or structure(s) disconnected and order the building(s) or structure(s) vacated and secured in a manner provided under the Building Code. If the property owner fails to secure the building(s) or structure(s), then the Building Official shall hire a private contractor to secure such building(s) or structure(s). If the property owner fails to obtain a new Certificate of Occupancy for the building(s) or structure(s) within 120 days of the date of cancellation of the original Certificate of Occupancy, then the Building Official shall demolish such building(s) or structure(s).”

Mr. John Dronzek, Representative of Owner, gave the status of the structures and indicated that the owner’s intent is to do all the necessary repairs. Mr. Dronzek then requested for additional time.

Mr. Cueva asked the owner if reports were submitted by an Engineer.

Mr. Dronzek answered “yes.”

Mr. Essien then asked how long had he known about the recertification

Mr. Dronzek answered that it was 3 months ago.

After some discussion, Mr. Deeb moved that “said structure(s) are to be secured within five (5) working days. The structure is to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. A 40 year recertification report in the format required by the City of Coral Gables Building Department prepared by a Florida registered professional engineer or architect must be submitted to the City of Coral Gables Building Department’s Unsafe Structures Unit within ninety (90) days from today’s date certifying each building or structure is structurally and electrically safe for the specific use for continued occupancy. Any repairs required by the Building Official as a prerequisite for the 40-year recertification of the structure(s) shall be subject to the following: An application for building and or electrical permit must be submitted to the City of Coral Gables Building Department within forty-five (45) days from the date of submission of the 40 year recertification report. The department’s Unsafe Structures Unit must first review the application for permit. The

application for permit must include as part of the permit documents copies of the engineer's or architect's 40-year recertification report. The permit must be obtained within one hundred twenty (120) days from the date of the submission of the application and the required repairs must be completed inclusive of a final inspection approval on the permit within one hundred eighty (180) days from the date of obtaining the permit. Upon the property owner's failure to comply with any of the requirements of this Agreement the Building Official shall cancel the Certificate of Occupancy, order the power to the building(s) or structure(s) disconnected and order the building(s) or structure(s) vacated and secured in a manner provided under the Building Code. If the property owner fails to secure the building(s) or structure(s), then the Building Official shall hire a private contractor to secure such building(s) or structure(s). If the property owner fails to obtain a Certificate of Occupancy for the building(s) or structure(s) within 90 days from today, then the Building Official shall be revoke the Certificate of Occupancy. If the permit process is delayed by reasons beyond Owner's control, Owner may request in writing an extension of the time provided for in this agreement and provide proof of the reasons for the delay to the Building Department. Such a request must be made prior to the expiration of the deadlines set forth in this agreement. Upon receipt of such a written request, the Building Department shall provide, if appropriate, a reasonable extension. The Unsafe Structures Board shall retain jurisdiction." Mr. Starkweather seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez then called forth the second case to be heard by the City of Coral Gables, Unsafe Structures Unit.

City of Coral Gables Case:

CG2006-17

100 Giralda Avenue

Mr. Manuel Lopez, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Lopez gave an account for structure and recommended that "a 40 year recertification report in the format required by the City of Coral Gables Building Department prepared by a Florida registered professional engineer or architect must be submitted to the Miami-Dade Building Department's Unsafe Structures Unit within thirty (30) days from today's date certifying each building or structure is structurally and electrically safe for the specific use for continued occupancy. Any repairs required by the Building Official as a prerequisite for the 40-year recertification of the structure(s) shall be subject to the following: An application for building and or electrical permit must be submitted to the City of Coral Gables Building Department within forty-five (45) days from today's date. The department's Unsafe Structures Unit must first review the application for permit. The application for permit must include as part of the permit documents copies of the engineer's or architect's 40-year recertification report. The permit must be obtained within one hundred twenty (120) days from today's date and the required repairs must be completed inclusive of a final inspection approval on the permit within one hundred eighty (180) days from today's date. Upon the property owner's failure to comply with any of the requirements of this Agreement the Building Official shall cancel the Certificate of Occupancy, order the power to the building(s) or structure(s) disconnected and order the building(s) or structure(s) vacated and secured in a manner provided under the Building Code. If the property owner fails to secure the building(s) or structure(s), then the Building Official shall hire a private

contractor to secure such building(s) or structure(s). If the property owner fails to obtain a new Certificate of Occupancy for the building(s) or structure(s) within 120 days of the date of cancellation of the original Certificate of Occupancy, then the Building Official shall demolish such building(s) or structure(s).”

Ms. Gail Ackerman, Owner, gave the status of the structures and indicated that she is in agreement with the Building Official. She then requested additional time to submit the 40-year recertification. Ms. Ackerman then asked the Board what steps to take to resolve the problem.

After some discussion, Mr. Essien moved that “said structure(s) are to be secured within five (5) working days. The structure is to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. A 40 year recertification report in the format required by the City of Coral Gables Building Department prepared by a Florida registered professional engineer or architect must be submitted to the City of Coral Gables Building Department’s Unsafe Structures Unit within ninety (90) days from today’s date certifying each building or structure is structurally and electrically safe for the specific use for continued occupancy. Any repairs required by the Building Official as a prerequisite for the 40-year recertification of the structure(s) shall be subject to the following: An application for building and or electrical permit must be submitted to the City of Coral Gables Building Department within forty-five (45) days from the date of submission of the 40 year recertification report. The department’s Unsafe Structures Unit must first review the application for permit. The application for permit must include as part of the permit documents copies of the engineer’s or architect’s 40-year recertification report. The permit must be obtained within one hundred twenty (120) days from the date of the submission of the application and the required repairs must be completed inclusive of a final inspection approval on the permit within ninety (90) days from the date of obtaining the permit. Upon the property owner’s failure to comply with any of the requirements of this Agreement the Building Official shall cancel the Certificate of Occupancy, order the power to the building(s) or structure(s) disconnected and order the building(s) or structure(s) vacated and secured in a manner provided under the Building Code. If the property owner fails to secure the building(s) or structure(s), then the Building Official shall hire a private contractor to secure such building(s) or structure(s). If the property owner fails to obtain a Certificate of Occupancy for the building(s) or structure(s) within 90 days from today, then the Building Official shall be revoke the Certificate of Occupancy. If the permit process is delayed by reasons beyond Owner’s control, Owner may request in writing an extension of the time provided for in this agreement and provide proof of the reasons for the delay to the Building Department. Such a request must be made prior to the expiration of the deadlines set forth in this agreement. Upon receipt of such a written request, the Building Department shall provide, if appropriate, a reasonable extension.” Mr. Starkweather seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez then called forth the third case to be heard by the City of Coral Gables, Unsafe Structures Unit.

City of Coral Gables Case:

CG2006-19

245 Altara Avenue

Mr. Manuel Lopez, Building Officials, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Lopez gave an account for structure and recommended that “a 40 year recertification report in the format required by the City of Coral Gables Building Department prepared by a Florida registered professional engineer or architect must be submitted to the City of Coral Gables Building Department’s Unsafe Structures Unit within thirty (30) days from today’s date certifying each building or structure is structurally and electrically safe for the specific use for continued occupancy. Any repairs required by the Building Official as a prerequisite for the 40-year recertification of the structure(s) shall be subject to the following: An application for building and or electrical permit must be submitted to the City of Coral Gables Building Department within forty-five (45) days from today’s date. The department’s Unsafe Structures Unit must first review the application for permit. The application for permit must include as part of the permit documents copies of the engineer’s or architect’s 40-year recertification report. The permit must be obtained within one hundred twenty (120) days from today’s date and the required repairs must be completed inclusive of a final inspection approval on the permit within one hundred eighty (180) days from today’s date. Upon the property owner’s failure to comply with any of the requirements of this Agreement the Building Official shall cancel the Certificate of Occupancy, order the power to the building(s) or structure(s) disconnected and order the building(s) or structure(s) vacated and secured in a manner provided under the Building Code. If the property owner fails to secure the building(s) or structure(s), then the Building Official shall hire a private contractor to secure such building(s) or structure(s). If the property owner fails to obtain a new Certificate of Occupancy for the building(s) or structure(s) within 120 days of the date of cancellation of the original Certificate of Occupancy, then the Building Official shall demolish such building(s) or structure(s).”

Mr. Ray Castellanos, Representative of Owner, gave the status of the structures and indicated that the owner is in the process to sale the property. He informed the Board that there is a potential buyer and plan to close in June. Mr. Castellanos stated that the new owner will purchase the property in the condition that it is in and will do all the necessary repairs. He then requested additional time for the sale of the property to go through.

Mr. Cueva asked the owner if there is another plan if the sale doesn’t go through and how long does he need to submit the recertification.

Mr. Castellanos answered “yes.”

Mr. Essien then asked how long had he known about the recertification

Mr. Castellanos answered that it was 3 months ago.

Mr. Cueva asked the owner how much time was needed to conduct the repairs.

Mr. Castellanos replied that it can take up to 180 days to bring the property up to code if the sale doesn’t go through.

After some discussion, Mr. Loader moved that “said structure(s) are to be secured within five (5) working days. The structure is to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. A 40 year recertification report in the format required by the City of Coral Gables Building Department prepared by a Florida registered professional engineer or architect must be submitted to the City of Coral Gables Building Department’s Unsafe Structures Unit within ninety (90) days from today’s date certifying each building or structure is structurally and electrically safe for the specific use for continued occupancy. Any repairs required by the Building Official as a prerequisite for the 40-year recertification of the structure(s) shall be subject to the following: An application for building and or electrical permit must be submitted to the City of Coral Gables Building Department within forty-five (45) days from the date of submission of the 40 year recertification

report. The department's Unsafe Structures Unit must first review the application for permit. The application for permit must include as part of the permit documents copies of the engineer's or architect's 40-year recertification report. The permit must be obtained within one hundred twenty (120) days from the date of the submission of the application and the required repairs must be completed inclusive of a final inspection approval on the permit within one hundred fifty (150) days from the date of obtaining the permit. Upon the property owner's failure to comply with any of the requirements of this Agreement the Building Official shall cancel the Certificate of Occupancy, order the power to the building(s) or structure(s) disconnected and order the building(s) or structure(s) vacated and secured in a manner provided under the Building Code. If the property owner fails to secure the building(s) or structure(s), then the Building Official shall hire a private contractor to secure such building(s) or structure(s). If the property owner fails to obtain a Certificate of Occupancy for the building(s) or structure(s) within 90 days from today, then the Building Official shall be revoke the Certificate of Occupancy. If the permit process is delayed by reasons beyond Owner's control, Owner may request in writing an extension of the time provided for in this agreement and provide proof of the reasons for the delay to the Building Department. Such a request must be made prior to the expiration of the deadlines set forth in this agreement. Upon receipt of such a written request, the Building Department shall provide, if appropriate, a reasonable extension." Mr. Deeb seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Discussion:

Bi-Annual Review Report

Mrs. Kathy Charles, Building Code Compliance Office, provided the Unsafe Structures Board with general information on the 2004-05 Bi-Annual Review Report. She informed the Board that item #6 of the General Information Section is an addition to the Bi-Annual Review Report. Mrs. Charles then read the outline of the Mission Statement to the Board and stated that they could reword at their discretion.

The Board did not object to the Mission Statement, but made modification to items #4 & #6 of the Evaluation Criteria Section. They indicated that the member vacancies of the Unsafe Structures Board should appear on the attached list as to how long the vacancy was open. The Board then suggested to striking out the last sentence of the 1st and 2nd paragraph of item #6 of the Evaluation Criteria Section.

A motion was made by Mr. Deeb to accept the amendments of the 2004-05 Bi-Annual Review report of the Unsafe Structures Board. The motion was seconded by Mr. Starkweather.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

There being no further business, a motion was made by Mr. Starkweather to adjourn the meeting at 3:10 P.M. and seconded by Mr. Amedee.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Prepared by: _____

Recording Secretary

Chairperson

Date: _____

UNSAFE STRUCTURES BOARD HEARING MINUTES OF May 17th, 2006

Members Present: James Cueva, C Gordon Loader, VC James Starkweather
Abel Ramirez Benjamin S. Essien Carlos Naumann
Jose Vera

Absent: Alberto Milian Kevin Deeb

Staff: Herminio Gonzalez, Secretary
Latisha Byrd, Recording Secretary
Daniel Frastai, Assistant County Attorney

Court Reporter: Janice Aguirre, Metro Dade Court Reporter

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:36 P.M. on Wednesday, May 17th, 2006, on the 16th Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. Gordon Loader, requested a motion to approve and accept the minutes of the March 15th, 2006 Unsafe Structures Board Meeting. Mr. Starkweather moved to accept the minutes of the board meeting. Mr. Deeb seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Herminio Gonzalez then announced that the following Unincorporated Miami-Dade County and City of Miami cases have made **agreements with the Building Official:**

Unincorporated Miami-Dade County:

DCF2004104468U	8000 SW 107 Avenue, #11
DCF2005104595U	19400 W. Dixie Hwy., #1
DCF2005104657U	3000 NW 73 Street, #1
DCF2005104958U	29501 SW 152 Avenue, #1
DCF2005105156U	8000 SW 107 Avenue, #23
DCF2005105157U	8000 SW 107 Avenue, #10
DCF2005105307U	250 NE 191 Street

City of Miami:

M06-006	420 NW 40 Street
M06-010	1911 Coral Gate Drive
M06-011	5595 NW 17 Avenue

Mr. Herminio Gonzalez then announced that the following Unincorporated Miami-Dade County, City of Coral Gables and City of Miami cases have made **No Contest/No Show with the Building Official:**

Unincorporated Miami-Dade County:

DCF2004104317U	601 NE 107 Street, #9
DCF2004104388U	16600 S. Dixie Hwy., #01
DC2006094852U	3901 SW 112 Avenue

City of Miami:

M06-009	1343 NW 1 Street
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City of Coral Gables:

CG2006-01	737 Valencia Avenue
CG2006-03	114 Menores Avenue
CG2006-10	1514 Salzedo Street
CG2006-11	24 Sidonia Avenue

Mr. Gonzalez then announced that the following Unincorporated Miami-Dade County, City of Coral Gables, Village of Virginia Gardens and City of Miami case was **Withdrawn/Deferred:**

Unincorporated Miami-Dade County:

DCF2005104943U	15585 SW 232 Street, #1
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City of Miami:

M06-008	1210 NE 1 Avenue A/K/A 1208 NE 1 Avenue
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City of Coral Gables:

CG2006-02	110 Sidonia Avenue
CG2006-04	118 Menores Avenue
CG2006-05	223 Phoenetia Avenue
CG2006-06	222 Phoenetia Avenue
CG2006-07	230 Salamanca Avenue
CG2006-08	5410 W 8 Street
CG2006-09	2334 Ponce de Leon Blvd.
CG2006-13	219 Miracle Mile
CG2006-14	101 Grand Avenue
CG2006-15	203 University Drive
CG2006-16	119 Grand Avenue
CG2006-18	300-04-08 Majorca Avenue
CG2006-20	119 Antiquera Avenue
CG2006-21	131 Antiquera Avenue
CG2006-22	2603 Ponce de Leon Blvd.
CG2006-23	35 Sidonia Avenue
CG2006-24	449 Anastasia Avenue
CG2006-25	230 Phoenetia Avenue

Village of Virginia Gardens:

VG2006-01	3660 NW 37 Terrace
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The cases and photographs were submitted to the Board for review and were called by Mr. Gonzalez.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Essien moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Gonzalez. Mr. Deeb seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Cueva informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

Mr. Gonzalez then called forth the first case to be heard by the City of Coral Gables, Unsafe Structures Unit.

City of Coral Gables Case:

CG2006-12

1200 Anastasia Avenue

Mr. Manuel Lopez, Building Officials, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Lopez gave an account for structure and recommended that “a 40 year recertification report in the format required by the City of Coral Gables Building Department prepared by a Florida registered professional engineer or architect must be submitted to the City of Coral Gables Building Department’s Unsafe Structures Unit within thirty (30) days from today’s date certifying each building or structure is structurally and electrically safe for the specific use for continued occupancy. Any repairs required by the Building Official as a prerequisite for the 40-year recertification of the structure(s) shall be subject to the following: An application for building and or electrical permit must be submitted to the City of Coral Gables Building Department within forty-five (45) days from today’s date. The department’s Unsafe Structures Unit must first review the application for permit. The application for permit must include as part of the permit documents copies of the engineer’s or architect’s 40-year recertification report. The permit must be obtained within one hundred twenty (120) days from today’s date and the required repairs must be completed inclusive of a final inspection approval on the permit within one hundred eighty (180) days from today’s date. Upon the property owner’s failure to comply with any of the requirements of this Agreement the Building Official shall cancel the Certificate of Occupancy, order the power to the building(s) or structure(s) disconnected and order the building(s) or structure(s) vacated and secured in a manner provided under the Building Code. If the property owner fails to secure the building(s) or structure(s), then the Building Official shall hire a private contractor to secure such building(s) or structure(s). If the property owner fails to obtain a new Certificate of Occupancy for the building(s) or structure(s) within 120 days of the date of cancellation of the original Certificate of Occupancy, then the Building Official shall demolish such building(s) or structure(s).”

Mr. John Dronzek, Representative of Owner, gave the status of the structures and indicated that the owner’s intent is to do all the necessary repairs. Mr. Dronzek then requested for additional time.

Mr. Cueva asked the owner if reports were submitted by an Engineer.

Mr. Dronzek answered “yes.”

Mr. Essien then asked how long had he known about the recertification

Mr. Dronzek answered that it was 3 months ago.

After some discussion, Mr. Deeb moved that “said structure(s) are to be secured within five (5) working days. The structure is to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. A 40 year recertification report in the format required by the City of Coral Gables Building Department prepared by a Florida registered professional engineer or architect must be submitted to the City of Coral Gables Building Department’s Unsafe Structures Unit within ninety (90) days from today’s date certifying each building or structure is structurally and electrically safe for the specific use for continued occupancy. Any repairs required by the Building Official as a prerequisite for the 40-year recertification of the structure(s) shall be subject to the following: An application for building and or electrical permit must be submitted to the City of Coral Gables Building Department within forty-five (45) days from the date of submission of the 40 year recertification report. The department’s Unsafe Structures Unit must first review the application for permit. The

application for permit must include as part of the permit documents copies of the engineer's or architect's 40-year recertification report. The permit must be obtained within one hundred twenty (120) days from the date of the submission of the application and the required repairs must be completed inclusive of a final inspection approval on the permit within one hundred eighty (180) days from the date of obtaining the permit. Upon the property owner's failure to comply with any of the requirements of this Agreement the Building Official shall cancel the Certificate of Occupancy, order the power to the building(s) or structure(s) disconnected and order the building(s) or structure(s) vacated and secured in a manner provided under the Building Code. If the property owner fails to secure the building(s) or structure(s), then the Building Official shall hire a private contractor to secure such building(s) or structure(s). If the property owner fails to obtain a Certificate of Occupancy for the building(s) or structure(s) within 90 days from today, then the Building Official shall be revoke the Certificate of Occupancy. If the permit process is delayed by reasons beyond Owner's control, Owner may request in writing an extension of the time provided for in this agreement and provide proof of the reasons for the delay to the Building Department. Such a request must be made prior to the expiration of the deadlines set forth in this agreement. Upon receipt of such a written request, the Building Department shall provide, if appropriate, a reasonable extension. The Unsafe Structures Board shall retain jurisdiction." Mr. Starkweather seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez then called forth the second case to be heard by the City of Coral Gables, Unsafe Structures Unit.

City of Coral Gables Case:

CG2006-17

100 Giralda Avenue

Mr. Manuel Lopez, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Lopez gave an account for structure and recommended that "a 40 year recertification report in the format required by the City of Coral Gables Building Department prepared by a Florida registered professional engineer or architect must be submitted to the Miami-Dade Building Department's Unsafe Structures Unit within thirty (30) days from today's date certifying each building or structure is structurally and electrically safe for the specific use for continued occupancy. Any repairs required by the Building Official as a prerequisite for the 40-year recertification of the structure(s) shall be subject to the following: An application for building and or electrical permit must be submitted to the City of Coral Gables Building Department within forty-five (45) days from today's date. The department's Unsafe Structures Unit must first review the application for permit. The application for permit must include as part of the permit documents copies of the engineer's or architect's 40-year recertification report. The permit must be obtained within one hundred twenty (120) days from today's date and the required repairs must be completed inclusive of a final inspection approval on the permit within one hundred eighty (180) days from today's date. Upon the property owner's failure to comply with any of the requirements of this Agreement the Building Official shall cancel the Certificate of Occupancy, order the power to the building(s) or structure(s) disconnected and order the building(s) or structure(s) vacated and secured in a manner provided under the Building Code. If the property owner fails to secure the building(s) or structure(s), then the Building Official shall hire a private

contractor to secure such building(s) or structure(s). If the property owner fails to obtain a new Certificate of Occupancy for the building(s) or structure(s) within 120 days of the date of cancellation of the original Certificate of Occupancy, then the Building Official shall demolish such building(s) or structure(s).”

Ms. Gail Ackerman, Owner, gave the status of the structures and indicated that she is in agreement with the Building Official. She then requested additional time to submit the 40-year recertification. Ms. Ackerman then asked the Board what steps to take to resolve the problem.

After some discussion, Mr. Essien moved that “said structure(s) are to be secured within five (5) working days. The structure is to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. A 40 year recertification report in the format required by the City of Coral Gables Building Department prepared by a Florida registered professional engineer or architect must be submitted to the City of Coral Gables Building Department’s Unsafe Structures Unit within ninety (90) days from today’s date certifying each building or structure is structurally and electrically safe for the specific use for continued occupancy. Any repairs required by the Building Official as a prerequisite for the 40-year recertification of the structure(s) shall be subject to the following: An application for building and or electrical permit must be submitted to the City of Coral Gables Building Department within forty-five (45) days from the date of submission of the 40 year recertification report. The department’s Unsafe Structures Unit must first review the application for permit. The application for permit must include as part of the permit documents copies of the engineer’s or architect’s 40-year recertification report. The permit must be obtained within one hundred twenty (120) days from the date of the submission of the application and the required repairs must be completed inclusive of a final inspection approval on the permit within ninety (90) days from the date of obtaining the permit. Upon the property owner’s failure to comply with any of the requirements of this Agreement the Building Official shall cancel the Certificate of Occupancy, order the power to the building(s) or structure(s) disconnected and order the building(s) or structure(s) vacated and secured in a manner provided under the Building Code. If the property owner fails to secure the building(s) or structure(s), then the Building Official shall hire a private contractor to secure such building(s) or structure(s). If the property owner fails to obtain a Certificate of Occupancy for the building(s) or structure(s) within 90 days from today, then the Building Official shall be revoke the Certificate of Occupancy. If the permit process is delayed by reasons beyond Owner’s control, Owner may request in writing an extension of the time provided for in this agreement and provide proof of the reasons for the delay to the Building Department. Such a request must be made prior to the expiration of the deadlines set forth in this agreement. Upon receipt of such a written request, the Building Department shall provide, if appropriate, a reasonable extension.” Mr. Starkweather seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez then called forth the third case to be heard by the City of Coral Gables, Unsafe Structures Unit.

City of Coral Gables Case:

CG2006-19

245 Altara Avenue

Mr. Manuel Lopez, Building Officials, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Lopez gave an account for structure and recommended that “a 40 year recertification report in the format required by the City of Coral Gables Building Department prepared by a Florida registered professional engineer or architect must be submitted to the City of Coral Gables Building Department’s Unsafe Structures Unit within thirty (30) days from today’s date certifying each building or structure is structurally and electrically safe for the specific use for continued occupancy. Any repairs required by the Building Official as a prerequisite for the 40-year recertification of the structure(s) shall be subject to the following: An application for building and or electrical permit must be submitted to the City of Coral Gables Building Department within forty-five (45) days from today’s date. The department’s Unsafe Structures Unit must first review the application for permit. The application for permit must include as part of the permit documents copies of the engineer’s or architect’s 40-year recertification report. The permit must be obtained within one hundred twenty (120) days from today’s date and the required repairs must be completed inclusive of a final inspection approval on the permit within one hundred eighty (180) days from today’s date. Upon the property owner’s failure to comply with any of the requirements of this Agreement the Building Official shall cancel the Certificate of Occupancy, order the power to the building(s) or structure(s) disconnected and order the building(s) or structure(s) vacated and secured in a manner provided under the Building Code. If the property owner fails to secure the building(s) or structure(s), then the Building Official shall hire a private contractor to secure such building(s) or structure(s). If the property owner fails to obtain a new Certificate of Occupancy for the building(s) or structure(s) within 120 days of the date of cancellation of the original Certificate of Occupancy, then the Building Official shall demolish such building(s) or structure(s).”

Mr. Ray Castellanos, Representative of Owner, gave the status of the structures and indicated that the owner is in the process to sale the property. He informed the Board that there is a potential buyer and plan to close in June. Mr. Castellanos stated that the new owner will purchase the property in the condition that it is in and will do all the necessary repairs. He then requested additional time for the sale of the property to go through.

Mr. Cueva asked the owner if there is another plan if the sale doesn’t go through and how long does he need to submit the recertification.

Mr. Castellanos answered “yes.”

Mr. Essien then asked how long had he known about the recertification

Mr. Castellanos answered that it was 3 months ago.

Mr. Cueva asked the owner how much time was needed to conduct the repairs.

Mr. Castellanos replied that it can take up to 180 days to bring the property up to code if the sale doesn’t go through.

After some discussion, Mr. Loader moved that “said structure(s) are to be secured within five (5) working days. The structure is to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. A 40 year recertification report in the format required by the City of Coral Gables Building Department prepared by a Florida registered professional engineer or architect must be submitted to the City of Coral Gables Building Department’s Unsafe Structures Unit within ninety (90) days from today’s date certifying each building or structure is structurally and electrically safe for the specific use for continued occupancy. Any repairs required by the Building Official as a prerequisite for the 40-year recertification of the structure(s) shall be subject to the following: An application for building and or electrical permit must be submitted to the City of Coral Gables Building Department within forty-five (45) days from the date of submission of the 40 year recertification

report. The department's Unsafe Structures Unit must first review the application for permit. The application for permit must include as part of the permit documents copies of the engineer's or architect's 40-year recertification report. The permit must be obtained within one hundred twenty (120) days from the date of the submission of the application and the required repairs must be completed inclusive of a final inspection approval on the permit within one hundred fifty (150) days from the date of obtaining the permit. Upon the property owner's failure to comply with any of the requirements of this Agreement the Building Official shall cancel the Certificate of Occupancy, order the power to the building(s) or structure(s) disconnected and order the building(s) or structure(s) vacated and secured in a manner provided under the Building Code. If the property owner fails to secure the building(s) or structure(s), then the Building Official shall hire a private contractor to secure such building(s) or structure(s). If the property owner fails to obtain a Certificate of Occupancy for the building(s) or structure(s) within 90 days from today, then the Building Official shall be revoke the Certificate of Occupancy. If the permit process is delayed by reasons beyond Owner's control, Owner may request in writing an extension of the time provided for in this agreement and provide proof of the reasons for the delay to the Building Department. Such a request must be made prior to the expiration of the deadlines set forth in this agreement. Upon receipt of such a written request, the Building Department shall provide, if appropriate, a reasonable extension." Mr. Deeb seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Discussion:

Bi-Annual Review Report

Mrs. Kathy Charles, Building Code Compliance Office, provided the Unsafe Structures Board with general information on the 2004-05 Bi-Annual Review Report. She informed the Board that item #6 of the General Information Section is an addition to the Bi-Annual Review Report. Mrs. Charles then read the outline of the Mission Statement to the Board and stated that they could reword at their discretion.

The Board did not object to the Mission Statement, but made modification to items #4 & #6 of the Evaluation Criteria Section. They indicated that the member vacancies of the Unsafe Structures Board should appear on the attached list as to how long the vacancy was open. The Board then suggested to striking out the last sentence of the 1st and 2nd paragraph of item #6 of the Evaluation Criteria Section.

A motion was made by Mr. Deeb to accept the amendments of the 2004-05 Bi-Annual Review report of the Unsafe Structures Board. The motion was seconded by Mr. Starkweather.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

There being no further business, a motion was made by Mr. Starkweather to adjourn the meeting at 3:10 P.M. and seconded by Mr. Amedee.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Prepared by: _____

Recording Secretary

Chairperson

Date: _____